

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

SIERRA CLUB, )  
                  )  
Plaintiff,     )  
                  )  
vs.             )  
                  )  
WISCONSIN POWER & LIGHT     )  
COMPANY,        )  
                  )  
Defendant.     )

Cause No. 3:10-cv-00511-wmc

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**STIPULATION OF DISMISSAL WITHOUT PREJUDICE**

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Plaintiff, Sierra Club, and Defendant, Wisconsin Power & Light Company, by and through the undersigned counsel, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), HEREBY STIPULATE AND AGREE to the dismissal of this action without prejudice and without costs to either party.

Respectfully submitted this 8th day of May, 2012.

BY THE PLAINTIFF:

McGILLIVRAY WESTERBERG & BENDER LLC

/s/ David C. Bender

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**CERTIFICATE OF SERVICE**

I hereby certify that on this day, I have electronically filed the foregoing with the Clerk of Court using the CM/ECF system that will send notification of this filing automatically to all counsel of record, including:

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